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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,219	06/26/2003	Shigekazu Morikawa	030770	3714

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EXAMINER

JONES, HEATHER RAE

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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08/20/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/606,219

Applicant(s)

MORIKAWA, SHIGEKAZU

Examiner

HEATHER R. JONES

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed April 11, 2008 have been fully considered but they are not persuasive.

The Applicant argues that Walsh et al. fails to disclose a determiner for determining whether or not a decoding process of the encoded image components for one frame is completed by the decoder when the plurality of encoded image components equal to the compressed still images for a next frame are received by the receiver. The Examiner respectfully disagrees. Walsh et al. discloses in Fig. 8 a memory for storing the recently decoded band in order to be used as a reference for the corresponding band in the next frame. Therefore, once the decoder stores the band it knows that this frame is done and can proceed to the next frame that has been received by receiver. Therefore, Walsh's decoder acts as a determiner in determining when the decoding is completed (when it is stored to memory), which meets the claimed limitation.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh et al. (U.S. Patent 5,952,943).

Regarding claim 1, Walsh et al. discloses a moving image reproducing apparatus that reproduces a moving image constituted by frame-sequential compressed still images, each of the compressed still images including a plurality of encoded image components formed by encoding the compressed still image for each frequency component, comprising: a receiver (210) for frame-sequentially receiving the plurality of encoded image components (Fig. 2); a decoder for sequentially decoding, in the order of a lower frequency, the plurality of encoded image components received by the receiver (Figs. 8 and 9); a determiner for determining whether or not a decoding process of the encoded image components for one frame is completed by the decoder when the plurality of encoded image components equal to the compressed still images for a next frame are received by the receiver (Fig. 9 – memory for next frame (912) - once the decoder stores the band it knows that this frame is done and can proceed to the next frame); a controller for controlling a decoding amount in the decoding process of the encoded image components for one frame when the determiner determines that the decoding process has not been completed (Fig. 10 - steps 1010-1018 – the decoding time is being controlled); and a reproducer for reproducing the moving image by the decoded still images produced (Fig. 2 – display processor (202) and monitor (204)). Walsh et al. fails to explicitly disclose a multiplexer for producing decoded still images for one frame by

multiplexing with each other a plurality of decoded image components decoded by the decoder. However, Walsh et al. does disclose a display processor (202) that receives the decoded data and processes the decoded data before displaying the data. It is well known in the art that in order to display an image the decoded bands need to be processed and part of processing the decoded bands is to multiplex the decoded bands in order to form an image suitable for display. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a multiplexer as part of the display processor in order to reconstruct the image thereby making it suitable for display.

Regarding claim **11**, Walsh et al. discloses all the limitations as previously discussed with respect to claim 10 including that the apparatus further comprises a mode setter for selectively reproducing the plurality of encoded image components received by said receiver in a high image quality mode or a low image quality mode, wherein said determiner determines whether or not the decoding process in said high image quality mode is completed, and said controller controls said decoding amount by causing said mode setter to set said low image quality mode (Fig. 10 - steps 1010-1018; col. 9, line 60 - col. 10, line 18 – the high and low image quality is set according to whether or not the decoding time for the frame is acceptable).

Regarding claims **12** and **13**, these are method claims corresponding to the apparatus claims 10 and 11. Therefore, claims 12 and 13 are analyzed and rejected as previously discussed with respect to claims 10 and 11.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **HEATHER R. JONES** whose telephone number is (571)272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/
Supervisory Patent Examiner, Art Unit 2623

Heather R Jones
Examiner
Art Unit 2621

HRJ
August 14, 2008